

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1539 OF 2007
ALONGWITH

CRIMINAL WRIT PETITION NOS. 1540, 1541, 1542, 1543,
1544 AND 1545 OF 2007.

Shri Sandeep R.Gala Petitioner

versus

Shri Mahesh Manohar Andhari & ors..... Respondent.

Mr. S.P.Kadam for the petitioners

Mr. S.V.Marwadi i/b. M/s. M.D.Mali & Co. for
Respondent no.1-A

Mr. A.S. Shitole APP for State in W.P. 1539, 1540,
1542 & 1544/07.

Mr. D.R.More APP for State in W.P.No. 1541, 1543 &
1545 of 2007.

CORAM; A.P. DESHPANDE, J.
DATED; 11TH DECEMBER, 2007

P.C.;

1. An identical question of fact and law emerges for consideration in these Writ Petitions wherein the petitioner is same viz. the accused, whereas the complainants are different. By these petitions an issue process order passed by Judicial Magistrate, First Class and the order passed in revision by the Sessions court, confirming the order passed by the Magistrate, are called in question. The learned counsel for the petitioner seeks permission to withdraw the writ petition with liberty to file an

appropriate application for clubbing of the cases and for their trial at one place by moving the Sessions Judge, Sindhurg. In these petitions, ad-interim order is operating whereby the proceedings before the Magistrate are stayed. The learned counsel for the petitioner submits that the ad-inerim order operating be continued for a period of four weeks so as to enable the petitioner to move an application for transfer of the cases before the Sessions Court so also for seeking permanent exemption from appearace.

2. in this view of the matter, permission for withdrawing the writ petition is granted. Petitions are dismissed as withdrawn. Ad-interim order to continue for a peiroad of four weeks so as to enable the petitioner to move an application for transfer of the cases before the Sesisons Judge so also for claiming permanent exemption. At this stage the learned counsel for the respondent sbmits that the cases need to be expedited as the same are pending since 2002. I permit the parties to request for expedited hearing before the Sessions Judge.

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